

USA

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BAYS

1. A bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of the said indentation.
2. For the purpose of measurement, the area of an indentation is that lying between the low-water marks of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.
3. If the distance between the low-water marks of the natural entrance points of a bay does not exceed 24 miles, a straight closing line may be drawn between these two low-water marks, from which the breadth of the territorial sea shall be measured, and the waters enclosed thereby shall be considered as internal waters.
4. Where the distance between the low-water marks of the natural entrance points of a bay exceeds 24 miles, a straight base-line of 24 miles may be drawn within the bay in such a manner as to enclose the maximum area of water possible with a line of that length.
5. Bays whose coasts belong to two or more States and which meet the conditions stated in paragraphs 1, 2, 3 and 4, may only be closed as indicated therein by agreement between the said States. The said agreement must cover the closing line and the delimitation of the respective maritime spaces.
6. The provisions of paragraphs 3 and 4 shall not apply to so-called "historic" bays.

State Dept. review completed